

The response herein is in furtherance of prosecution for the above-identified application and responds to the Office Action mailed 1 August 2003.

Applicants have reviewed carefully the instant Office Action and the publications relied upon in that action. After careful consideration, Applicants respectfully traverse the rejections raised therein for the following reasons.

Applicants have reviewed carefully the Jacobs patent relied upon in the office action for rejecting claims 1-4, 7-14, 16, and 18-22 under 35 U.S.C. §102(e).

Applicant notes that Jacobs fails to teach a system that includes a parking meter with a host wherein the host is connected in wireless communication with a sensor. Applicant notes that Jacobs teaches and describes a parking meter system having a sensor built therein (Col. 7, Ln. 1 – 5), and having a wireless transceiver that allows the parking meter to establish a wireless communication path with a remote transceiver such as a hand-held receiver unit held by a parking meter enforcement official or a transceiver set up as part of a wireless network (Col. 11, Ln.30 – Col. 12, Ln. 63). However, Jacobs lacks any description of a wireless communication system that allows a *host* to communicate wirelessly with a *sensor*. In contrast, each claim in the pending application explicitly recites a host connected in wireless communicating relationship with a sensor.

Accordingly, Applicant has claimed a system that includes a host and a sensor which are physically separate, distinct devices (Pg. 18, Ln. 10 – Ln. 25) & (Pg. 20, Ln. 15- Ln. 17) which communicate across a wireless path (Pg. 17, Ln. 7- Ln. 18) & (Pg. 20, Ln. 19 – Ln. 22). As described in the instant application, this allows the parking meter to be physically separate from the sensor, and thereby allows the sensor to be incorporated into the pavement of a street, in front of on the side or anywhere within RF range of the parking meter system. The decoupling of the sensor from the meter also allows the parking space that is monitored to be out of direct line-of-sight with the meter, something that is not possible with the meter and sensor in the same housing. It also allows the sensor to continue accurate operation if the meter post is bent, moved or otherwise damaged, something that would not be possible if the sensor is based in the housing.

It further allows for decoupling the sensor and the parking meter allowing for the ready replacement of sensors that have worn out, had battery failures, or for whatever reason are no longer functioning appropriately.

Jacobs lacks any teaching of such a system that includes a host which communicates wirelessly with a sensor that is separated from the host. Jacobs teaches only systems wherein the sensor is physically integrated into the parking meter and communicates across a direct hard-wired electronic path with the electronics of the parking meter (Col. 7, Ln. 1-5).

The "host" in Jacobs is used for the retrieval of information from individual parking meters (Col. 11, Ln. 30 – Col. 12 Ln. 62), where the parking meter contains an auto detector (Col. 7, Ln. 1-5). In contrast, the applicant refers to a host whose main purpose is to control communication between the sensor(s) and the parking meter (Pg. 17 Ln. 7 – Ln. 18) & (Pg. 15, Ln. 22 – Pg. 16, Ln. 10).

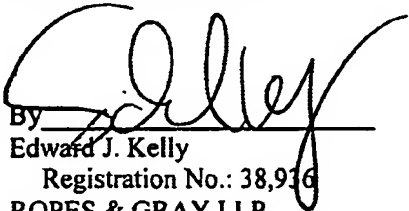
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. VHSE-P01-002 from which the undersigned is authorized to draw.

Dated: December 5, 2003

Respectfully submitted,


By _____
Edward J. Kelly
Registration No.: 38,916
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000
(617) 951-7050 (Fax)